

EXHIBIT 11
to Declaration of Jennifer Rae Lovko



Rae Lovko <rlovko@greenfirelaw.com>

Rethink Case

3 messages

Rae Lovko <rlovko@greenfirelaw.com>
To: Lisa Mitchell <lisa.mitchell@oag.texas.gov>

Tue, Nov 12, 2024 at 3:14 PM

Hi Lisa,

You should have received our Rule 26 disclosure by now wherein Plaintiff identified documents and an expert. As you have objected to the expert informally during our emails, I want to schedule a time to talk about either (a) doing another joint scheduling order that incorporates a motion addressing the use of an expert or (b) agree to ask the court for a case management meeting to raise this issue. Do you have time to talk this week? If so, posit a couple days/times that work for you.

Thanks,

Rae

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Rae Lovko, Esq.
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Lisa Mitchell <Lisa.Mitchell@oag.texas.gov>

Wed, Nov 13, 2024 at 3:08 PM

To: Rae Lovko <rlovko@greenfirelaw.com>

Cc: Ken Ramirez <ken@kenramirezlaw.com>, Ryan Bates <rbates@batespllc.com>, Matt Gamboa-Lutz <Matt.Gamboa-Lutz@oag.texas.gov>, Aidan Read <Aidan.Read@oag.texas.gov>

Hi Rae,

TxDOT objects to the use of expert testimony in this case, and thus TxDOT cannot join a scheduling order incorporating a motion addressing the use of an expert and will not ask the court for a case management meeting to raise this issue.

Please copy all attorneys for TxDOT on future correspondence.

Thanks,

Lisa

Lisa McClain Mitchell

Assistant Attorney General

Transportation Division

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Rae Lovko <rlovko@greenfirelaw.com>

Wed, Nov 13, 2024 at 4:35 PM

To: Lisa Mitchell <Lisa.Mitchell@oag.texas.gov>

Cc: Ken Ramirez <ken@kenramirezlaw.com>, Ryan Bates <rbates@batespllc.com>, Matt Gamboa-Lutz <Matt.Gamboa-Lutz@oag.texas.gov>, Aidan Read <Aidan.Read@oag.texas.gov>

Understood and will do.

Thanks.

[Quoted text hidden]